

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ORLANDO MARTIN,

Plaintiff,

Case No. 2:05-cv-00557 ALA (PC)

vs.

ALVARO C. TRAQUINA, et al.,

Defendants.

ORDER

Plaintiff Orlando Martin, a state prisoner proceeding *pro se* and *in forma pauperis*, seeks relief pursuant to 42 U.S.C. § 1983. Mr. Martin has requested a settlement conference pursuant to Local Rule 16-270 (Doc. No. 104). The Court finds that a settlement conference is appropriate.

Defendant Alvaro Traquina has filed a motion for summary judgment and Plaintiff has filed an opposition to the motion (Doc. Nos. 93, 106). Defendant's reply to Plaintiff's opposition is due on May 29, 2008 (Doc. No. 99). The Court will rule on this motion after the settlement conference, but prior to the date scheduled for trial. The trial date will remain the same, subject to any settlement and the Court's disposition of the motion for summary judgment.

Therefore, IT IS HEREBY ORDERED that:

1. The parties are ordered to appear for a settlement conference on June 12, 2008, at 10:00

1 a.m. in courtroom #25 before the Honorable Edmond F. Brennan.

2 2. The parties are ordered to send confidential settlement conference statements to Judge
3 Brennan's chambers on or before June 5, 2008.

4 3. The June 6, 2008, Trial Confirmation Hearing is hereby vacated.

5 4. A new Trial Confirmation Hearing is set for June 13, 2008 at 10:00 a.m. via
6 teleconference. Counsel for Defendant shall make arrangements with a conference call
7 entity for the conference call, and provide the telephone number and pin to Plaintiff, the
8 Warden of the prison in which Plaintiff is incarcerated, and to the Court no later than
9 May 23, 2008.

10 5. The "Trial Confirmation Hearing Order & Writ of Habeas Corpus Ad Testificandum Via
11 Teleconference Call" filed on May 2, 2008 (Doc. No. 102), for Plaintiff Orlando, inmate
12 # T-69444, is continued to June 13, 2008 at 10:00 a.m., at which time the parties shall
13 appear via teleconference call.

14 6. No other changes are made to the trial schedule as set forth in the Court's scheduling
15 orders (Doc. Nos. 91, 92).

16 ///

17 DATED: May 14, 2008

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation